



said housing is moved into a first position, and moving to make said linking means activator member to keeper-engaging member connection when said housing is moved into a second position.

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Remarks:

As claim 79 is new, 37 CFR 1.121 does not require a second copy thereof on a separate sheet. Claim 79 is written consistent with *In re Jepson* format. This claim is considered generic to the inventions of Groups IIa and IIb, including the cylinder lock version and non-cylinder lock version of Group IIb.

The invention has been characterized as a gravity-sensitive latch which becomes inoperable when the housing is rotated. The inoperability is not accomplished by "locking out" the latch operation as has been done in the prior art. The inoperability is accomplished by dislocating the latch operation. The mechanical connection between a handle/ button/ lever/ activator and the pawl/ pin/ keeper-engaging mechanism is removed by the operation of gravity forces on a pendulum link as the housing is rotated from a horizontal to a vertical position.

This concept provides enormous benefits over a typical lockout design. A typical lockout device must have component structural strength to stop the operation of the latch and to withstand any attempts to move or operate the latch when locked out.

Dislocate device merely disconnects components of the latch so that any attempt to operate the latch when in the disconnected or dislocated state proves futile.

For these and the reasons asserted in the amendment filed on June 24, 2002 and the amendment filed on February 13, 2003, claim 79 is considered to distinguish the present invention over the cited art. Likewise, claims 23-36, 38-53, 55-78 are considered to recite a novel invention.

It is requested that the application be re-examined with amended claims 23-36, 38-53, 55-58, 60, 62-63, and claims 59, 61, 64-78 as originally filed and newly added claim 79.

Respectfully submitted,  
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The foregoing is being Faxed to Examiner Gary Estremsky  
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signed [Signature]